

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

**CARMEN ALVAREZ, on behalf of
herself and all others similarly
situated,**

Plaintiff,

v.

**CHIPOTLE MEXICAN GRILL, INC.,
and CHIPOTLE SERVICES, LLC,**

Defendants.

Civ. No. 17-4095 (KM)

MEMORANDUM AND ORDER

The defendants (“Chipotle”) have moved (ECF no. 9) for a temporary stay of this case until seven days after the entry of a ruling on Chipotle’s motion for contempt in *State of Nevada v. United States Department of Labor*, Case No. 16-CV-0731-ALM, (E.D. Tex. Nov. 22, 2016) (the “Texas case”). It appears that there is an injunction concerning enforcement of the Department of Labor rule (the “Final Rule”) upon which plaintiff in this case relies. Still before the court in the Texas case, however, is Chipotle’s motion for contempt, the outcome of which may affect this case, or may require the plaintiff to take certain actions in this case.

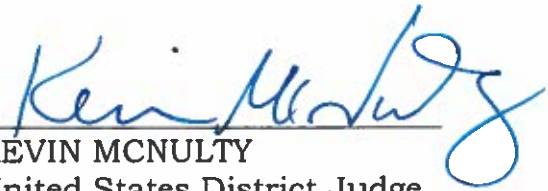
The plaintiff has now withdrawn her opposition to entry of the temporary stay requested by Chipotle. (See Letter of Glen D. Savits, Esq., ECF no. 26) Chipotle’s motion will therefore be granted.

The plaintiff’s letter also requests informally that any such stay be extended through the exhaustion of appeals from the ruling in the Texas case. That relief will not be granted. It depends on facts not yet in existence, and not before the court—including, most prominently, whether the district court or the U.S. Court of Appeals for the Fifth Circuit enters a stay pending appeal.

Therefore,

IT IS this 14th day of November, 2017

ORDERED that Chipotle's motion (ECF no. 9) is **GRANTED**, and that all proceedings in this action are **STAYED** until seven days after the United States District Court for the Eastern District of Texas rules on Chipotle's pending motion for contempt.



KEVIN MCNULTY
United States District Judge